

MINUTES

METROPOLITAN CIVIL SERVICE COMMISSION

MARCH 14, 2006

The Metropolitan Civil Service Commission met for their regularly scheduled meeting on March 14, 2006 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 8:30 a.m.

Commission Members present: Chairman William H. Farmer, Vice-Chairman R. Steve Corbitt, C. Michael Allen, Ervina Jarrett and D. Billye Sanders.

Other Members present: Dorothy S. Berry, Director of Human Resources and Michael Safley, Metro Legal Department - Attorney.

FEBRUARY 14, 2006 MINUTES: Chairman Farmer called the meeting to order and said the first order of business was to determine if there were any amendments, corrections or questions of the minutes from the last regular meeting.

***With nothing further, Vice-Chairman Corbitt moved for approval.
Commissioner Allen seconded the motion and the Commission approved without objection.***

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>BEER BOARD</u>			
Smith, Mark E	Office Support Rep 3	New Hire	02/13/06

EMERGENCY COMMUNICATION CENTER

Feinstein, Richard S	Emerg Telecommunications Officer 1	New Hire	02/13/06
Nixon, Lynda S	Emerg Telecommunications Officer 1	New Hire	02/13/06
Osuch, Sarah E	Emerg Telecommunications Officer 1	New Hire	02/13/06
Royal, Ellen L	Emerg Telecommunications Officer 1	New Hire	02/13/06
Schonborg, Irma L	Emerg Telecommunications Officer 1	New Hire	02/13/06
Vidal, Alyanis	Emerg Telecommunications Officer 1	New Hire	02/13/06
Whitworth, Holly R	Emerg Telecommunications Officer 1	New Hire	02/13/06

FINANCE

*Holland, Lannie B.	Finance Assistant Director	Dept Transfer/Lateral	02/13/06
Robinson, Deborah J	Finance Officer 2	New Hire	02/27/06
^Mehic, Samir	Finance Officer 3	Dept Transfer/Promotion	02/13/06
Robertson, Essie	Finance Officer 3	New Hire	02/06/06
Sesler, Dickie L.	Information Systems Specialist	Promotion	02/13/06

*Department Transfer from Human Resources (HR Assistant Director SR 15) to Finance (Finance Assistant Director SR 15)

^Department Transfer from Social Services (Finance Officer 1, SR 8) to Finance (Finance Officer 3 SR 12)

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>GENERAL SERVICES</u>			
Hahn, Klemm E	Automotive Service Writer	New Hire	02/01/06
*Dawkins, Lynette S	Human Resources Analyst 3	Dept Transfer/Promotion	02/13/06
^Harris, Kevin J.	Radio Tech 1	Dept Transfer/ Vol Reduction In Grade	02/13/06

*Department Transfer from Human Resources (HR Analyst 2, SR 10) to General Services (HR Analyst 3, SR 12)

^Department Transfer from Parks (Park Police 2, SR 8) to General Services (Radio Tech 1, TG 8)

HUMAN RESOURCES

Barrett, Robert R.	Professional Specialist	Promotion	02/27/06
Greer, Marla M.	IS Systems Advisor 1	Promotion	02/13/06

INFORMATION TECHNOLOGY SERVICES

Martin, Evans L.	Communications Specialist	Promotion	01/30/06
Mathe, Christopher A	Systems Advisor 1	Promotion	02/13/06

PARKS

Morris, Christopher R	Maintenance & Repair Worker 3	Promotion	02/10/06
Netsch, Timothy F	Parks & Recreation Superintendent	Promotion	02/10/06
Gleaves, Christopher S	Plumber	New Hire	02/10/06
Fitzpatrick, Pamela D	Safety Coordinator	New Hire	02/21/06

POLICE

Greer, Leland	Computer Operator 2	Promotion	12/01/05
Evans, Felicia Karina	Crime Scene Technician 1	New Hire	02/16/06
Graham, Jenness D	Crime Scene Technician 1	New Hire	02/16/06
Primm, Alicia L	Crime Scene Technician 1	New Hire	02/16/06

PUBLIC LIBRARY

Larson, Deanna L	Administrative Services Officer 3	New Hire	02/13/06
*Heatwole, Lucas D.	Circulation Assistant 1	Transition to Civil Service	02/13/06
Bowers, Terry	Custodian 1	New Hire	01/30/06
Martin, Brenda B	Custodian 1	New Hire	02/13/06
Mandyck, Maura B	Library Manager 2	Promotion	02/13/06
Neff, Linda S.	Library Manager 2	Promotion	02/13/06
Drake, Emily D	Library Manager 3	Promotion	01/30/06

*Transition to Civil Service from Part Time Status

APPOINTMENTS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>TYPE</u>	<u>DATE</u>
<u>PUBLIC WORKS</u>			
Cantu, Berardo D.	Compliance Inspector 2	Promotion	02/13/06
Maclin, Byron O.	Equipment Operator 3	Promotion	02/13/06
Ribaudo-Waidler, Michael L.	Equipment Operator 3	Promotion	02/27/06
Wade, Reginald E	Equipment Operator 3	New Hire	02/13/06
Potter, John R.	Maintenance & Repair Leader 1	Promotion	02/13/06
Trout Jr., Joe T.	Maintenance & Repair Leader 1	Promotion	02/13/06

SHERIFF

Bass, Kevin J.	Correctional Officer 1	New Hire	02/06/06
Beyer, Isaac R.	Correctional Officer 1	New Hire	02/06/06
Bunting, Marilyn E.	Correctional Officer 1	New Hire	02/06/06
Craig, Teresa D.	Correctional Officer 1	New Hire	02/06/06
Dishware II, Benjamin A.	Correctional Officer 1	New Hire	02/06/06
*England, Christopher M	Correctional Officer 1	Dept Transfer/ Vol Reduction In Grade	02/06/06
Fields, Seam S.	Correctional Officer 1	New Hire	02/06/06
Hopper, Sheila K.	Correctional Officer 1	New Hire	02/06/06
Jones, Timothy L.	Correctional Officer 1	New Hire	02/06/06
Kelly, Rodney A.	Correctional Officer 1	New Hire	02/06/06
Kennedy, Michael Y.	Correctional Officer 1	New Hire	02/06/06
King, Jared A.	Correctional Officer 1	New Hire	02/06/06
Law, David J.	Correctional Officer 1	New Hire	02/06/06
Lewis, Kevin C.	Correctional Officer 1	New Hire	02/06/06
Mats, John W.	Correctional Officer 1	New Hire	02/06/06
Patton-Bayne, Gail L.	Correctional Officer 1	New Hire	02/06/06
Poole, Yolanda R.	Correctional Officer 1	New Hire	02/06/06
Potts, Timothy M.	Correctional Officer 1	New Hire	02/06/06
Ramsey Jr., Jerry L.	Correctional Officer 1	New Hire	02/06/06
Reid, Dewayne	Correctional Officer 1	Re-Hire	03/01/06
Simpson, Norman W.	Correctional Officer 1	New Hire	02/06/06
Stott man, Rachel H.	Correctional Officer 1	New Hire	02/06/06
Sublet, Maurice C.	Correctional Officer 1	New Hire	02/06/06
Taylor, Steven A.	Correctional Officer 1	New Hire	02/06/06
Tidal, Penny M.	Correctional Officer 1	New Hire	02/06/06
Tolliver, Erica L.	Correctional Officer 1	New Hire	02/06/06
Ward II, Thomas J.	Correctional Officer 1	New Hire	02/06/06
Washington Jr., Sherwood L.	Correctional Officer 1	New Hire	02/06/06
Wyatt, Carlton J.	Correctional Officer 1	New Hire	02/06/06

*Department Transfer from Police (Police Security Guard, SR 6) to Sheriff (Correctional Officer, CO1)

SOCIAL SERVICES

Morgan, Dwindle	Administrative Services Officer 4	New Hire	02/21/06
Vorderstrasse, Julie	Social Worker 3	New Hire	02/13/06
Williams, Regina M	Social Worker 3	New Hire	02/13/06

WATER SERVICES

Johnson, Harold D	Industrial Electrician 1	New Hire	01/28/06
Adkins, Donna L	Office Support Rep 2	New Hire	02/11/06
*Richard, Tanya A	Office Support Rep 2	Dept Transfer/ Vol Reduction In Grade	02/11/06
^Saad, Sharon V	Office Support Rep 2	Dept Transfer/ Vol Reduction In Grade	01/14/06

*Department Transfer from Community Education Alliance (Program Coordinator, SR 9) to Water (Office Support Rep 2, SR 5)

^Department Transfer from Human Resources (Application Tech, SR 7) to Water (Office Support Rep 2, SR 5)

MOTION: *After some discussion, Commissioner Jarrett moved for approval of the appointments as listed above. Seconded by Commissioner Allen and the Commission approved without objection.*

TERMINATIONS/ PENSIONS

<u>Name</u>	<u>Classification</u>	<u>Type</u>	<u>Department</u>	<u>Date</u>
Harbert, Patti Carter	Office Support Rep 3	Resignation	Assessor Of Property	01/30/06
Lee, Charles K.	Beer Permit Inspector 2	Pension	Beer Board	01/27/06
Gower, Jennifer M.	Emer Telecommunications Officer 1	Resignation	Emerg Comm Center	01/24/06
Watson, Kimberly J	Emer Telecommunications Officer 3	Resignation	Emerg Comm Center	01/17/06
Davis, Brandon K.	Emer Telecommunications Trainer	Deceased	Emerg Comm Center	01/19/06
Beatty, Robert A	Fire Captain	Pension	Fire	01/30/06
Norman Jr., J D	Automotive Shop Supervisor	Pension	General Services	01/20/06
Weddell, Daniel A	Compliance Inspector 3	Dismissal	General Services	01/31/06
Marshall, Robert H	Finance Officer 2	Resignation	General Services	01/23/06
Pannell, John C	Maintenance & Repair Leader 2	Resignation	Parks	01/27/06
Fryer, Billy E	Police Officer 3	Pension	Police	02/03/26
Hagewood, Kelma J.	Circulation Assistant 1	Deceased	Public Library	02/08/06
Hall, Dorothea V.	Circulation Assistant 1	Resignation	Public Library	01/21/06
Clemmer, Brenda K.	Circulation Assistant 2	Pension	Public Library	01/31/06
Couch Jr., Wallace Bell	Engineer In Training	Resignation	Public Works	01/31/06
Jones, Johnny W.	Equipment Operator 2	Resignation	Public Works	02/17/06
Morales, Pamela J.	Office Support Rep 1	Dismissal	Public Works	02/17/06
Bryant, Wayne C.	Correctional Officer 1	Resignation	Sheriff	01/29/06
Smith, Kimberly L	Correctional Officer 1	Resignation	Sheriff	02/02/06
Miller, Paul C.	Special Projects Manager	Dismissal	Social Services	01/31/06
Clouse, Michael H	Maintenance & Repair Leader 2	Pension	Water Services	01/29/06
Whitsitt III, James M	Technical Services Coordinator	Pension	Water Services	01/31/06
Dye, Terry L.	Treatment Plant Tech 1	Deceased	Water Services	01/30/06

MOTION: *After some discussion, Commissioner Jarrett moved to accept the Termination/ Pension report for the dates and reasons stated. Seconded by Commissioner Allen and the Commission approved without objection.*

ELIGIBILITY REGISTER REPORT- ESTABLISHED

<u>Classification</u>	<u>Type</u>	<u>Requesting Department</u>
Office Support Rep 3 - Beer Board	Open	Beer Board
Office Support Rep 3 - Codes	Dept	Codes
Finance Officer 2 - Contracts	Open	Finance
Finance Officer 3 - Budgets	Open	Finance
IS Applications Analyst 3 - BS/HR	Open	Finance
IS Applications Analyst 3 - BS/PR	Open	Finance
Radio Technician 2	Dept	General Services
Professional Specialist	Dept	Human Resources
IS Operations Tech 2 - Tech Sup Center	Dept	ITS
Library Manager 2 - Cataloging	Dept	Library
Library Manager 2 -Collection Development	Dept	Library
Concessions Clerk 1	Open	Parks
Maintenance & Repair Worker 2 - Landscaping	Open	Parks
Maintenance & Repair Worker 3 - Masonry	Open	Parks
Maintenance & Repair Worker 3 - Trees	Dept	Parks
Plumber	Open	Parks
Program Coordinator - Recreation	Dept	Parks
Program Coordinator - Fitness	Dept	Parks
Safety Coordinator	Open	Parks
Special Skills Instructor - Seniors	Dept	Parks
Administrative Services Manager - Media	Open	Police
Crime Scene Technician 1	Open	Police
Police Captain	Dept	Police
Equipment Operator 3 - Paving	Dept	Public Works
Correctional Officer Lieutenant	Dept	Sheriff's
Administrative Services Officer 4-Quality Assurance	Open	Social Services
Engineer 2 - Assets Management	Dept	Water Services
Engineer 2 - Develop & Review	Dept	Water Services
Engineer 2 - WS Planning Operations	Open	Water Services
Engineer 3 - Route Services	Open	Water Services
Engineering Tech 2 - Inflow	Dept	Water Services
Treat Plant Shift Operations - Whites Creek	Dept	Water Services

REGISTERS ABOLISHED

<u>Date Established</u>	<u>Classification</u>	<u>Number On Register</u>	<u>Register</u>
01/11/05	Program Coordinator - Community Ed	37	Open
09/12/05	Finance Manager - Police	69	Open
12/07/04	Correctional Officer 2	16	Dept

MOTION: *After some discussion, Commissioner Jarrett moved to accept the Register Report as submitted. Seconded by Commissioner Allen and the Commission approved without objection.*

DEPARTMENTAL ITEMS

GENERAL SERVICES

REQUEST: Nancy Whittemore, Director, represented by Erin Hampton, requested approval for an Increment Advancement for Dianna Atwood, Administrative Specialist, Step 4 to Step 6, effective March 14, 2006. SR11

Due to the resignation of an employee, Ms. Atwood has assumed additional duties at a higher level of responsibility and has performed above and beyond expectations. It was noted by Erin Hampton, that Ms. Atwood would continue to work in this position until the vacancy is filled.

MOTION: *After some discussion, Commissioner Sanders moved for approval of the request as listed. Seconded by Commissioner Jarrett and the Commission approved without objection.*

EMERGENCY COMMUNICATION CENTER

REQUEST: RoxAnn Brown, Director, represented by Jeannie Mallory, requested approval for Extended Administrative Leave with Pay for Michael Lloyd, Emergency Telecommunications Officer 4, from December 29, 2005 thru February 23, 2006.

On December 29, 2005, Mr. Lloyd was placed on Administrative Leave with pay pending a disciplinary investigation. Due to the possible criminal nature of the charges, the investigation was turned over to the Metro Police Department. Mr. Lloyd was sent a certified letter on February 10, 2006 advising him of the results and giving him an opportunity to respond. After being contacted, he chose to resign from his position effective February 23, 2006.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval of the request as listed. Seconded by Commissioner Jarrett and the Commission approved without objection.*

HUMAN RESOURCES

Ms. Dorothy S. Berry, Interim Director, submits the following for the Commission's consideration and appropriate action:

(1: Request Approval of revision to Civil Service Policy 7.2B-I, Police Promotional procedure for Classifications of Police Sergeant, Lieutenant, and Captain.

Police Chief Ronal Serpas, Robin Brown, Assistant Director for Human Resources and Chris Hornick, of CWH Research, Inc., were present before the Commission to present and discuss the recommended revisions to Police Promotional Policy 7.2B-I.

Chairman Farmer said the Commission should go forward and listen to an explanation of the proposed policy changes and ask questions of the Chief and his representative. The Commission would then direct all parties to comply with Chancellor Bonnyeman's directive to meet and confer.

Attorney Jack Byrd for the Teamsters Union, Jesse Case, Teamsters and Police Officer Steve Bumpus, appeared before the Commission to discuss their position on revisions to the Police Promotional Policy. They stated they are ready to meet and confer on the matter. Chairman Farmer directed that a meeting be scheduled on March 15, 2006 at 1:00 p.m. to discuss proposed changes to the policy. Both the Police Department and Teamster's representatives agreed.

Action: ***The Police Promotional Policy will be brought back to the Commission on April 11th for further review and discussion.***

(2: Request approval of Revision to Civil Service Policy 6.8 A-I - Disciplinary and Grievance Appeal Procedures Part B - Selection of Administrative Law Judge or Hearing Officer

Jim Lynch said that Administrative Law Judges currently hear appeals of dismissals or full demotions, whereas Civil Service Commissioners sit as Hearing Officers to hear suspensions, temporary demotions or grievance appeals.

The proposed policy revision provides for Administrative Law Judges to hear all appeals involving dismissals, full Demotions, suspensions, temporary demotions or grievance decisions. In the event of a budgetary constraint or limited funding, as an option, Hearing Officers (Commissioners) would be assigned to again hear suspensions, temporary demotions or grievances.

MOTION: ***After some discussion, Vice-Chairman Corbitt moved for approval effective immediately. All appeals once assigned to Hearing Officers will now be sent to the State of Tennessee, Administrative Procedures Division and assigned to State Judges. Seconded by Commissioner Jarrett and the Commission approved without objection.***

(3: Review of Order – Determination of Back Pay for James Ballentine, Water Services (Thirty (30) Days Suspension and Demotion to Water Maintenance Technician I)

The Commission previously ordered that the Initial Order be modified, and then directed both parties to reach some agreement on the amount of back pay that should be awarded in a Final Order. Metro Attorney Margaret Darby submitted a proposed order, however, both parties are still not in agreement and have reached an impasse on the settlement.

MOTION: ***After much discussion, Vice-Chairman Corbitt moved for approval to award Mr. Ballentine holiday back pay for half of the requested holidays, which would be five (5) days, and then close the case. Seconded by Commissioner Jarrett and the Commission approved without objection.***

(4: Review of Agreed Order - Marlene Passons, MAC/Grievance

Marlene Passons, Metropolitan Action Commission, entered a grievance regarding denial of her opportunity to participate as a member in the Service Employee International Union (SEIU). Denial of the grievance by the Appointing Authority resulted in an appeal with the Civil Service Commission. Attorney Stephanie Williams represented Marlene Passons, and Metro Attorney Susan Jones represented the Metropolitan Action Commission.

On February 2, 2006, Attorney Susan Jones was advised that Ms. Passons position was audited and she was moved to another position that would not pose a conflict with her participation in SEIU. Ms. Passons agreed to withdraw any and all claims regarding this appeal. With all parties being in agreement, Commissioner Michael Allen entered an Agreed Order to dismiss the appeal. Both attorneys were present before the Commission for oral discussion.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval to uphold the Agreed Order as submitted by Hearing Officer Michael Allen. Seconded by Commissioner Jarrett and the Commission approved without objection.*

(5: JOB DESCRIPTION

**CAD/GIS Analyst 1
CAD/GIS Analyst 2**

The CAD Analyst 1 and 2 proposed revision would require a certificate of competency on a case by case basis, rather than for all positions in the classification. It would expand the qualified applicant pool for Public Works and Water Services, while maintaining the requirement for Planning positions.

MOTION: *After some discussion, Vice-Chairman Corbitt moved for approval of the revision to the CAD/GIS Analyst 1 and 2 positions. Seconded by Commissioner Allen and the Commission approved without objection.*

Emergency Communications Assistant Director

Susan Gish said that proposed changes would allow for a Bachelor's Degree from an accredited college or university and considerable experience in a large Emergency Communications Center, including two (2) years management and administrative experience in a combined Police and Fire dispatch organization serving a population comparable to Metro. Management experience may be substituted for education on a year to year basis.

MOTION: *After some discussion, Commissioner Jarrett moved for approval of the revision to the Emergency Communications Assistant Director position. Seconded by Commissioner Sanders and the Commission approved without objection.*

(6: Benefit Board Election Plan – Fire Department Representative - May 2006

Steve Cain said, that the Human Resources Department requests approval to conduct an election for the position of Fire Department Representative to the Employee Benefit Board. The request is in accordance with provisions in the Metropolitan Charter, Section 13.03 – Composition and Selection of Board.

The representative elected to the position will serve a three (3) year term beginning July 1, 2006.

MOTION: *After some discussion, Commissioner Jarrett moved for approval of the request as listed. Seconded by Vice-Chairman Corbitt and the Commission approved without objection.*

(7: Benefit Board Election Plan – Retired Employee Representative – May 2006

Steve Cain said that the Human Resources Department is also requesting approval to conduct an election for the position of Retired Employee Representative to the Employee Benefit Board. The request is in accordance with provisions in the Metropolitan Charter, Section 13.03 – Composition and Selection of Board.

The representative elected will serve a three (3) year term in the position beginning July 1, 2006.

MOTION: *After some discussion, Commissioner Jarrett moved for approval of the request as listed. Seconded by Vice-Chairman Corbitt and the Commission approved without objection.*

(8: Report on Benefit Board Election – Police Representative

Jim Lynch said that an election was announced and conducted during the month of March 2006 for the Police Department Representative to the Employee Benefit Board. All Police Department employees who contributed to any of the Employee Benefit Board plans were duly notified and eligible to become candidates and then vote in the election.

ELECTION RESULTS	TOTAL
Melvin Brown, Jr.	258
Steve Bumpus	282

The declared Winner was Steve Bumpus, who will become the Police Department Representative for the Benefit Board.

Election results remained open for inspection for five days and there were no issues or disputes brought forth from any party. The election was then certified by Mrs. Dorothy S. Berry, Director of Human Resources.

ACTION: *None taken. This was for a report only.*

(9: Communiqués from the public on pending hearings

With nothing further, the regular meeting adjourned at 10:45 a.m.

ATTEST:

APPROVED:

Ms. Dorothy S. Berry
Director of Human Resources
Secretary to the Civil Service Commission

William H. Farmer, Chairman
of the Civil Service Commission